

Major Changes in NCLB Act

Standards and Assessments

Requires the development of science standards by the 2005-06 school year.

Maintains 1994 ESEA requirement for assessments in reading and math at three grade spans (3-5, 6-9, 10-12) through the 2004-2005 school year. Requires annual assessments in reading and math for grades 3-8 beginning in 2005-2006, with the addition of science assessments in 2007-2008 (but only in same three grade spans as the 1994 law).

Implementation of new assessments may be deferred if Congress does not appropriate specified levels of funding for assessment development and administration, ranging from \$370 million for fiscal year 2002 to \$400 million in fiscal year 2005. Subpart 1 of Part A of Title VI authorizes \$490 million in fiscal year 2002 for formula-based State assessment grants and a related Grants for Enhanced Assessment Instruments program.

Requires reading assessments using tests written in English for any student who has attended school in the US (excluding Puerto Rico) for 3 or more consecutive years, with LEA discretion to use tests in another language for up to 2 additional years. States also must annually assess English proficiency for all LEP students beginning with the 2002-03 school year.

Requires, beginning in school year 2002-03, biennial State participation in NAEP reading and math assessments for 4th and 8th graders so long as the Department pays the costs of administering those assessments.

Program Effectiveness

Incorporates new language intended to ensure that Title I funds are used only for effective educational practices. The authorization for both schoolwide and targeted assistance programs call for those programs to use effective methods and instructional strategies that are based on scientifically based research. Other provisions call for school improvement plans, professional development, and the technical assistance provided by LEAs to low-performing schools all to be based on scientifically based research.

Accountability

Requires a single, statewide accountability system for all LEAs and public schools, except that LEAs and schools not receiving Title I funds are not subject to the school improvement provisions of 1116(c).

Tightens the definition of adequate yearly progress (AYP) to include annual statewide measurable objectives for improved achievement by all students as well as specific groups, including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and LEP students. The overall goal is for all students to meet the “proficient” level no later than 12 years after the 2001-02 school year. AYP is to be based primarily on State assessments; one additional academic indicator is required and other indicators are permitted, but they may not be used to reduce the number or change the identity of schools otherwise subject to improvement under Sec. 1116. Each student group must meet the statewide achievement goal for a school to make AYP. If a group does not meet the State goal, the school can be considered to have made AYP if the percentage of students in that group not reaching the proficient level falls by at least 10 percent. At least 95 percent of each group must participate in State assessments. States may average up to three years of data in making AYP determinations.

Requires State and LEA report cards to the public no later than the beginning of the 2002-2003 school year. Also requires annual State reports to the Secretary, to be transmitted in summary form to the Congress, beginning in 2002-03.

Requires the Secretary to withhold of 25 percent of funds for State administration from States that have failed to meet the 1994 deadlines for putting in place standards and a system for measuring AYP, and permits the Secretary to withhold an unspecified amount of State administrative funds from a State that fails to meet requirements of new law.

Adds “Parents Right to Know” provision requiring LEAs to annually notify parents of their right to request information on the professional qualifications of their child’s teachers.